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7 Attorneys for Defendants, Counterclaimants, and
8 Third Party Plaintiffs PCJV USA, LLC, PCI
TRADING LLC, POTATO CORNER, LA
GROUP, LLC, GK CAPITAL GROUP, LLC,
9 NKM CAPITAL GROUP, LLC and GUY
KOREN, and Defendants J & K AMERICANA,
10 LLC, J&K LAKEWOOD, LLC, J&K
OAKRIDGE, LLC, J&K VALLEY FAIR, LLC, J
& K ONTARIO, LLC, J&K PC TRUCKS, LLC,
11 HLK MILPITAS, LLC, and GK CERRITOS, LLC
12

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 SHAKEY'S PIZZA ASIA VENTURES,
16 INC, a Philippines corporation,

17 Plaintiff,

18 vs.

19 PCJV USA, LLC, a Delaware limited
liability company; PCI TRADING , LLC, a
20 Delaware limited liability company; GUY
KOREN, an individual; POTATO CORNER
LA GROUP, LLC, a California limited
liability company; NKM CAPITAL GROUP,
22 LLC, a California limited liability company;
J & K AMERICANA, LLC, a California
limited liability company; J&K
23 LAKEWOOD, LLC, a California limited
liability company; J&K VALLEY FAIR,
LLC, a California limited liability company;
J & K ONTARIO, LLC, a California limited
liability company; HLK MILPITAS, LLC, a
26 California, limited liability company; GK
CERRITOS, LLC, a California, limited
liability company; J&K PC TRUCKS, LLC,
a California limited liability company; and,
28 GK CAPITAL GROUP, LLC, a California

Case No. 2:24-CV-04546-SB(AGRx)

Hon. Stanley Blumenfeld, Jr.

**DECLARATION OF TODD M.
MALYNN REGARDING
VERDICT FORM (DKT NO. 254)**

Complaint Filed: May 31, 2024
Trial Date: August 18, 2025

1 limited liability company and DOES 1
2 through 100, inclusive,

3 Defendants.

4 PCJV USA, LLC, a Delaware limited
5 liability company; PCI TRADING LLC, a
6 Delaware limited liability company;
7 POTATO CORNER LA GROUP LLC, a
8 California limited liability company; GK
9 CAPITAL GROUP, LLC, a California
limited liability company; NKM CAPITAL
GROUP LLC, a California limited liability
company; and GUY KOREN, an individual,

9 Counter-Claimants,

10 v.

11 SHAKEY'S PIZZA ASIA VENTURES,
12 INC, a Philippines corporation,

13 Counter Defendant.

14 PCJV USA, LLC, a Delaware limited
15 liability company; PCI TRADING LLC, a
16 Delaware limited liability company;
17 POTATO CORNER LA GROUP LLC, a
18 California limited liability company; GK
19 CAPITAL GROUP, LLC, a California
limited liability company; NKM CAPITAL
GROUP LLC, a California limited liability
company; and GUY KOREN, an individual,

20 Third Party Plaintiffs,

21 v.

22 PC INTERNATIONAL PTE LTD., a
23 Singapore business entity; SPAVI
24 INTERNATIONAL USA, INC., a California
corporation; CINCO CORPORATION, a
Philippines corporation; and ROES 1 through
10, inclusive,

25 Third Party Defendants.

1 **DECLARATION OF TODD M. MALYNN**

2 I, Todd M. Malynn, declare as follows:

3 1. I am a partner at Blank Rome LLP, counsel of record for Defendants,
4 Counterclaimants, and Third Party Plaintiffs (collectively, “PCJV USA Parties”). I
5 have personal knowledge of the facts set forth in this declaration, and if called upon
6 to testify under oath, I could and would testify competently thereto.

7 2. I file this Declaration to provide the Court with an update as to the status
8 of a jointly filed verdict form. On Saturday and Sunday, August 16 and 17, 2025,
9 my colleagues Messrs. Arash Beral and Jamison Gilmore and I worked together
10 with counsel at Fox Rothchild in preparation of the joint pretrial documents ordered
11 to be filed on August 18, 2025, by 8:30 am.

12 3. As of 11:15 pm, Sunday, August 17, 2025, we had near proposed final
13 versions of the joint pretrial documents except one, a jointly submitted verdict form,
14 although we also had not heard back from counsel at Fox Rothchild as to the latest
15 version of the table of completed discovery. To timely complete those filings, we
16 requested that Fox Rothchild’s team provide those two joint filings back to us with
17 comments or further comments by 12:00 midnight.

18 4. At 5:06 am the next day, Mr. Michael Murphy emailed me and Messrs.
19 Beral and Gilmore that we would have his team’s comments at to both documents
20 by 6:00 am to meet the 8:30 am deadline. After I responded to Mr. Murphy’s email
21 for Fox Rothchild’s input on the table of completed discovery and verdict forms at
22 6:30 am, I received a near simultaneous email from Mr. Murphy attaching a redline
23 version of the proposed joint verdict form marking up, reformatting and providing
24 comments to the PCJV USA Parties’ proposed special verdict form. The comments
25 were procedural, substantive and productive. We just did not receive them in time to
26 reach agreement and prepare a joint filing by 8:30 am.

27 5. I worked diligently on Mr. Murphy’s marked up and proposed special
28 verdict form as to Plaintiff’s claims addressing his comments and proposed changes

1 to the PCJV USA Parties' proposed verdict form. At 10:25 am, after accepting edits
2 to which we agreed and making necessary edits tracking proposed jury instructions,
3 I forwarded to Mr. Murphy proposed edits and responses to Plaintiff's proposed
4 special verdict form as to Plaintiff's claims. I asked him to review the PCJV USA
5 Parties' redline responses while I continued to work through his mark up and
6 comments as to the verdict form related to the counterclaims.

7 6. After exchanging meet and confer correspondence, reformatting a
8 proposed jointly filed special verdict form covering the claims, defenses and
9 counterclaims, which required a lot of work to achieve Mr. Murphy's preferred
10 formatting, I circulated a complete copy of the PCJV USA Parties' proposed special
11 verdict form covering claims, defenses and counterclaims at 3:45 pm. We requested
12 that Mr. Murphy include Plaintiff's proposed verdict form into the PCJV USA
13 Parties' proposed final document or copy/paste our proposed verdict form into
14 Plaintiff's master document and circulate a proposed final joint verdict form for
15 filing as quickly as possible. We did not hear back from Mr. Murphy.

16 7. At 1:40 pm the next day, August 19, 2025, I emailed Mr. Murphy as to
17 status. Again, we did not hear back from Mr. Murphy.

18 8. As of this Declaration, we still have not heard back from anyone with
19 the Fox Rothchild team regarding Plaintiff's proposed verdict form or any further
20 proposed redline edits or comments to PCJV USA Parties' verdict form.

21 I declare under penalty of perjury under the law of the United States that the
22 foregoing is true and correct. Executed on Auguust 20, 2025, in Los Angeles,
23 California.

24
25 /s/ Todd M. Malynn
26 Todd M. Malynn
27
28

CERTIFICATE OF SERVICE

The undersigned certifies that on August 20, 2025, the foregoing document was electronically filed with the Clerk of the Court for the United States District Court, Central District of California, using the Court's Electronic Case Filing (ECF) system. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct.
Executed on August 20, 2025.

By: /s/AJ Cruickshank